

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

RAYMOND SKELTON on behalf of :  
himself and all other :  
similarly situated persons, : CIV. NO. 19-18597 (RMB)  
:  
Plaintiff :  
v. : **ORDER**  
:  
NEW JERSEY DEP'T OF CORR., :  
*et al.*, :  
:  
Defendants :  
\_\_\_\_\_

For the reasons set forth in the accompanying Opinion,

**IT IS** on this 30th day of October 2020,

**ORDERED** that Defendants' motion to dismiss (Dkt. No. 14) is **GRANTED**; Plaintiff's claims against the NJDOC are **DISMISSED** with prejudice as barred by the Eleventh Amendment; Plaintiff's claims against Hicks and Powell in their individual and official capacities are **DISMISSED** without prejudice under Federal Rule of Civil Procedure 12(b)(6) and 42 U.S.C. § 1997e(c)(1) for failure to state Eighth Amendment claims of failure to protect inmate health and failure to provide adequate medical care for prisoners' serious medical needs, failure to state a conspiracy claim under 42 U.S.C. § 1983, and failure to state claims for violation of the Americans with Disabilities Act and Rehabilitation Act; and it is further

**ORDERED** that Plaintiff is granted leave to file an Amended Complaint within 45 days of the date of entry of this Order.

s/Renée Marie Bumb  
**RENÉE MARIE BUMB**  
**United States District Judge**